

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE 261 JUL 12 A.M. 2011  
CHATTANOOGA DIVISION

**ROBERT R. BELL, JR., on Behalf of  
Himself and All Others Similarly Situated**  
**12040 Ridge Road**  
**Renovo, PA 17764**

Plaintiff,

vs.

**US XPRESS, INC.**  
**4080 Jenkins Road**  
**Chattanooga, TN 37421**

Defendant.

261 JUL 12 A.M. 2011  
EASTERN DISTRICT OF TENNESSEE  
CHATTANOOGA DIVISION

CASE NO. 1:11-CV-00181 DEPT. 001

DISTRICT JUDGE CURTIS COLLIER

MAGISTRATE JUDGE SUSAN LEE

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**MOTION FOR LEAVE TO APPEAR PRO HAC VICE**

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Pursuant to LR 83.5(b), Plaintiff moves this Court for an Order permitting Dennis M. O'Toole to practice in the United States District Court for the Eastern District of Tennessee Chattanooga Division, for purposes of this case only.

Pursuant to LR 83.5(b), I have attached the required Certificate of Good Standing in support of this motion, the prescribed fee in the amount of \$60.00 and a written consent to be subject to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct.

Pursuant to LR 83.5(b), I have completed the necessary ECF training at the time of my admission with the United States District Court Northern District of Ohio.

Pursuant to LR 83.5(b), Counsel has been retained as counsel by Plaintiff, Robert R. Bell, Jr., in the above-captioned matter.

Pursuant to LR 83.5(b), Counsel has associated with local counsel, Michael Schmitt of Ortale, Kelley, Herbert & Crawford.

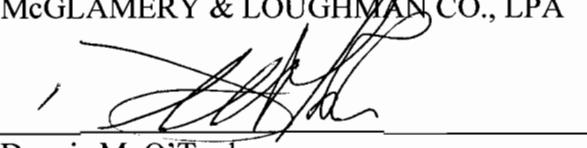
Pursuant to LR 83.5(b), Counsel would further aver that he is not now, nor has been subject to any disciplinary rulings from any bar.

Pursuant to LR 83.5(b), Counsel has reviewed the local rules and agrees to abide by those rules in the representation of Plaintiff.

WHEREFORE, Dennis M. O'Toole respectfully requests that the Court grants his Motion and enter an order accordingly.

Respectfully submitted,

STUMPHAUZER, O'TOOLE, McLAUGHLIN,  
McGLAMERY & LOUGHMAN CO., LPA

By: 

Dennis M. O'Toole  
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Sheffield Village, Ohio 44054  
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Facsimile: (440) 934-7208  
Email: mdooley@sheffieldlaw.com  
apecora@sheffieldlaw.com  
dotoole@sheffieldlaw.com

ORTALE, KELLEY, HERBERT & CRAWFORD

By: /s/ Michael Schmitt  
Michael Schmitt (TN Bar 026573)  
200 Fourth Avenue North  
P.O. Box 198985  
Nashville, Tennessee 37219-8985  
Telephone: (615) 780-7526  
Facsimile: (615) 726-1494  
Email: MSchmitt@ortalekelley.com

**CERTIFICATE OF SERVICE**

This will certify that a copy of the foregoing Motion for Leave to Appear Pro Hac Vice was filed via U.S. Mail this 15 day of July, 2011. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system or via electronic mail.



\_\_\_\_\_  
Dennis M. O'Toole

# The Supreme Court of Ohio

## C E R T I F I C A T E

I, SUSAN B. CHRISTOFF, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Dennis Michael O'Toole

was admitted to the practice of law in Ohio on November 09, 1974; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 3rd day of June, 2011.

SUSAN B. CHRISTOFF

*Susan B. Christoff*  
\_\_\_\_\_  
Director, Attorney Services Division

Court Name: U S District Court  
Division: 1  
Receipt Number: C1000085  
Cashier ID: hintond  
Transaction Date: 07/12/2011  
Payer Name: Stumphauzer Otoole McLaughlin

PRO HAC VICE  
For: Stumphauzer Otoole McLaughlin  
Case/Party: D-TNE-3-11-BB-000001-001  
Amount: \$60.00

PRO HAC VICE  
For: Stumphauzer Otoole McLaughlin  
Case/Party: D-TNE-3-11-BB-000001-001  
Amount: \$60.00

PRO HAC VICE  
For: Stumphauzer Otoole McLaughlin  
Case/Party: D-TNE-3-11-BB-000001-001  
Amount: \$60.00

CHECK  
Check/Money Order Num: 6454  
Amt Tendered: \$60.00

CHECK  
Check/Money Order Num: 6455  
Amt Tendered: \$60.00

CHECK  
Check/Money Order Num: 6452  
Amt Tendered: \$60.00

Total Due: \$180.00  
Total Tendered: \$180.00  
Change Amt: \$0.00

PHV for Anthony R. Pecora, Matthew A Dooley and Dennis M. O'Toole case  
11:11-cv-181

"Only when bank clears the check, money order, or verifies credit of funds is the fee or debt officially paid or discharged. A \$45 fee will be charged for a returned check.